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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA

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7 SARA VITERI-BUTLER,

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Plaintiff,

No. C 12-2651 PJH

9

v.

ORDER

10 UNIVERSITY OF CALIFORNIA,
11 HASTINGS COLLEGE OF THE LAW,
et al.,

12 Defendants.

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14 Defendant's motion for summary judgment came on for hearing before this court on
15 January 22, 2014. Plaintiff Sara Viteri-Butler appeared by her counsel Spencer Smith and
16 Dow Patten, and defendant University of California, Hastings College of the Law
17 ("Hastings"), appeared by its counsel Michael Vartain. At the hearing, the court ordered as
18 follows:

19 1. No later than January 29, 2014, plaintiff shall file a third amended complaint
20 correcting the errors noted by the court at the hearing, and appending copies of all
21 administrative charge(s) and right-to-sue letter(s) issued by the EEOC and/or DFEH.

22 2. Plaintiff's Rule 56(d) motion is DENIED.

23 3. The record remains open so that the parties can file supplemental briefs as
24 follows and as directed by the court during the hearing:

25 (a) No later than February 12, 2014, Hastings shall file a motion for
26 summary judgment, not to exceed five pages, on the ERISA cause of action.

27 (b) No later than February 26, 2014, plaintiff shall file a combined
28 supplemental response to Hastings' original motion for summary judgment, not to exceed

1 ten pages, and incorporating the additional discovery; and response to Hastings' motion
2 regarding the ERISA claim, not to exceed five pages.

3 (c) No later than March 5, 2014, Hastings shall file a reply to plaintiff's
4 supplemental opposition, not to exceed ten pages.

5 4. Plaintiff's motion for summary judgment as to the affirmative defenses is
6 taken under submission, pending the ruling on Hastings' motion.

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8 **IT IS SO ORDERED.**

9 Dated: January 23, 2014.



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11 PHYLLIS J. HAMILTON
12 United States District Judge
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